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GOVERNOR

May 22, 2018

ALL COUNTY LETTER (ACL) NO. 17-16E

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY FISCAL OFFICERS
ALL COUNTY AUDITOR CONTROLLERS
ALL CHIEF PROBATION OFFICERS
ALL COUNTY WELFARE DIRECTORS ASSOCIATION
ALL CDSS ADOPTION REGIONAL AND FIELD OFFICES
ALL TITLE IV-E AGREEMENT TRIBES

SUBJECT: RESOURCE FAMILY APPROVAL PROGRAM – CONVERSION OF
EXISTING APPROVED AND LICENSED FOSTER CAREGIVERS TO
RESOURCE FAMILIES

REFERENCE: [WELFARE AND INSTITUTIONS CODE SECTION 16519.5](#); [HEALTH AND SAFETY CODE SECTION 1517.1](#); ACL Nos. [17-16](#) AND [18-02](#).

The purpose of this errata to [ACL 17-16](#) is to provide revised instructions to county child welfare and probation departments and other interested stakeholders on the conversion process of all currently licensed foster family homes (FFH) and approved relatives and non-relative extended family members (NREFMs) for the mandated statewide implementation of Resource Family Approval (RFA). These instructions amend the conversion process as it relates to the completion of the psychosocial assessment (now known as the “family evaluation” in [Version 5 of the RFA Written Directives](#) (WD)) for licensed FFHs or approved relatives/NREFMs who had a placement in 2017 or who provided county authorized respite services in 2017. This ACL also clarifies instructions regarding the FFH licensing file and the approved relative/NREFM’s case file. It also provides instructions for the conversion of FFHs who applied for a FFH license before January 1, 2017 and subsequently received their license on or after January 1, 2018 and as a result did not have an opportunity to receive a placement or provide county authorized respite services in 2017.

This errata amends the conversion process for the following caregivers:

- Approved relatives/NREFMs and licensed FFHs with placement of a child or nonminor dependent (NMD) at any time during calendar year 2017
- Approved relatives/NREFMs and licensed FFHs who provided county authorized respite services in 2017
- FFHs licensed on or after January 1, 2018

For approved relatives/NREFMs and licensed FFHs with an adoption home study approved prior to January 1, 2018, a county shall follow the instructions for deeming them resource families as outlined in [ALL COUNTY LETTER 17-16](#).

Conversion of Approved Relatives/NREFMs and Licensed FFHs with Placement of a Child/NMD or Provided Respite Services at Any Time During 2017

To convert approved relatives/NREFMs and licensed FFHs (collectively referred to as “caregivers”) who had a child/NMD placed in their home or provided county authorized respite services at any time during the calendar year of 2017, a county may conduct one face-to-face interview with each caregiver, rather than the two required interviews for the family evaluation ([RFA WD § 6-05\(a\)\(1\)](#)), if all of the following conditions are met:

1. The Department or the county licensing staff completed an inspection of or visit to the FFH, or the county completed a reassessment of the relative’s or NREFM’s approval, on or after January 1, 2016.
2. The date the Department or the county staff met face-to-face with the caregiver during the inspection, visit, or reassessment is documented in the FFH file or the approved relative/NREFM’s case file.
3. Information obtained during the inspection, visit, or reassessment is available and has been reviewed by the county staff completing the conversion process to assist with obtaining the necessary information for the family evaluation.

If all the above conditions apply, the inspection, visit, or reassessment that occurred on or after January 1, 2016 for the caregiver(s) may count towards one of the two required interviews for the family evaluation and should be documented in the Written Report for conversion which is required to convert these caregivers to a resource family as specified below.

This ACL does not prohibit a county from requiring additional interviews if deemed necessary to address information obtained during the inspection, visit, or reassessment or to obtain all the information required for the family evaluation as outlined in [RFA Written Directives section 6-05\(b\) through \(d\) \(Version 5\)](#). Furthermore, a county is still required to complete a minimum of one individual interview with all other people residing in the home, including children.

An additional option for these caregivers to convert to RFA is the completion of an adoption home study as outlined in the [Title 22, Division 2, Adoption Manual sections 35179-35183](#). Within the adoption home study process there is an assessment of the applicants and of other people residing in the home which is sufficient to meet the family evaluation and Written Report for conversion.

In addition to completing the family evaluation and Written Report for conversion as specified above, the following shall occur to convert these caregivers to resource families:

- The prospective resource family shall submit a Conversion RFA application ([RFA 00A](#)) and show proof of identity;
- The prospective resource family shall submit a Conversion to Resource Family: Release of Information ([RFA 00](#));
- The county shall create a Resource Family File in accordance with Attachment “A” in [ACL 17-16](#) for caregivers without an approved adoption home study. If a county completed an adoption home study, then it will become the Resource Family Written Report and be included in the Resource Family File;
- The county shall ensure each caregiver and adult residing in or regularly present in the home has a current criminal record clearance or exemption, and the subsequent arrest notification is still open and active. If not, then the county must complete a background check for that individual pursuant to [RFA Written Directives section 6-03A](#);
- Upon approval, the county shall issue a Resource Family Approval Certificate ([RFA 05A](#) or equivalent) including the date the caregiver was approved as a resource family. The approval date begins the period for annual updates;
- Complete Child Welfare Services/Case Management System (CWS/CMS) instructions for conversion of the caregiver to resource family status;
- Once the caregiver is approved as a resource family, their relative or NREFM approval or FFH license is forfeited by operation of law;
- If a department-licensed foster family home informs a county of their interest in converting to a resource family, the county shall notify the Community Care Licensing Division (CCLD) Regional Office (RO) that licensed the home. Upon approval of the resource family, the county shall notify the RO so the licensing file can be closed; and
- The county and CCLD shall work cooperatively to transfer the FFH licensing file to the county.

Review of FFH Licensing File or Relative/NREFM Case File

As part of the conversion process, a county shall review all documents submitted by the caregiver and in the FFH licensing file or relative/NREFM case file, as applicable, prior to conducting the family evaluation. If the review of the file documentation indicates that there is a pending or current complaint investigation, serious incident investigation, or administrative action against the caregiver, the county should refer to the “Conversion Practice Considerations” identified below.

The RFA worker may use information about the caregivers obtained through visits to the family or caseworker interviews of the family by social work staff, or other information that exists in the approved relative/NREFM file or FFH licensing file and incorporate it in

the Written Report for conversion. By incorporating information already known to the county, this may reduce the amount of time and number of interviews required to complete the family evaluation.

Pending FFH License Applications Received On or Before December 31, 2016

The Department and county licensing offices were authorized to accept FFH license applications only until December 31, 2016 and are required to either approve or deny these applications in accordance with the foster family home licensing laws. If the Department or a county licensing office approves the application, then the applicant shall be licensed as a FFH. In the event that the application is denied and the applicant chooses to appeal, the issuance of a FFH license will be based on the outcome of the administrative hearing.

For these FFHs who received their license on or after January 1, 2018, the Department or county licensing office shall concurrently provide the FFH with the following information:

- A detailed description of the Resource Family Approval (RFA) program.
- Notification that in order to care for, or continue to care for, a child or NMD placed by a public or private placement agency, court order, or voluntarily placed by a parent or guardian, RFA is required by December 31, 2019.
- Notification that a FFH license shall be forfeited by operation of law on December 31, 2019, except as follows:
 - If the conversion to a Resource Family has begun but has not been completed by December 31, 2019, the license will remain in effect until the date of RFA or on the date of completion of due process for a denied application.
 - A license shall be forfeited upon approval as a Resource Family.

Conversion of FFHs Licensed On or After January 1, 2018

For FFHs licensed on or after January 1, 2018, a county child welfare or probation department shall complete the conversion requirements as specified in this ACL and in [ACL No. 17-16](#) in the section entitled “Conversion of Approved Relatives/NREFMs and Licensed Foster Family Homes with Placement of a Child or NMD at Any Time During 2017.”

Conversion Practice Considerations

There is no requirement as to which caregivers shall be converted to RFA first. However, prioritization is helpful to ensure that all caregivers will be converted to resource families by December 31, 2019. Each county should consider the various levels of permanency when determining the conversion priority.

A county may consider converting caregivers to RFA in the following order:

- (1) Caregivers with foster children who will be moving towards permanency with the current caregiver and intend to continue caring for other children or NMDs in the foster care or probation system.
- (2) Caregivers with placements in which reunification will not be occurring soon.
- (3) Caregivers who are caring for children in which reunification will be occurring soon, and the caregiver does not intend to care for other children.

Additionally, counties may consider waiting to convert caregivers with pending or current complaint investigations, serious incident investigations, or administrative actions until after the investigation or administrative action has concluded. This will ensure that caregivers who may pose health and safety risks to children are not converted to resource families until the investigation has been completed and reviewed by the county or due process for the administrative action has concluded.

If a licensed FFH is on probation, this may be considered during the family evaluation as relevant to the determination of whether the caregiver meets all conditions for approval, and whether placing similar conditions on the approval will adequately address any concerns.

Inquiries

If you have any questions regarding the information in this ACL, please email the Resource Family Approval Implementation Unit at RFA@dss.ca.gov.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division
